

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: 05/24/99

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 6-3847**

By/Representing: **Goldman**

This file may be shown to any legislator: **NO**

Drafter: **kenneda**

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Alt. Drafters:

Subject: **Health - emergency med services**

Extra Copies: **TAY**

Pre Topic:

LFB:.....Goldman -

Topic:

Delete emergency medical services fees and forfeitures

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 05/24/99	ygeller 05/25/99	martykr 05/26/99	_____	lrb_docadmin 05/26/99		
/2	kenneda 05/27/99	ygeller 05/28/99	mclark 05/28/99	_____	lrb_docadmin 05/28/99		

FE Sent For:

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		1/2 5/28 jlg	MRC 5/28	MRC/IR 5/28			
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/?	kenneda	11/25 jcg	12/5/99	12/5/99 km26			

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<END>

Tha -
The Committee
wished to maintain
current law on EMS so
we need to pull the
language from the bill.

Thom D. Aric

USNRC authority would not be subject to these requirements. DHFS would provide licensure forms.

Require licensees to notify DHFS within 30 days of any change to the information on a license and require DHFS to record the new information. Individuals conducting activities under a license would notify DHFS within 30 days of the termination of these activities. DHFS could require the individual to submit a plan for decommissioning of the activity to DHFS.

Require DHFS to promulgate rules for the issuance, modification, suspension, termination and revocation of licenses and for the requirements of a general license. Authorize DHFS to exempt from licensure radioactive material that DHFS finds is without undue radiation hazard. DHFS could, after conducting a hearing, refuse, suspend or revoke a license if the licensee fails to comply with laws or rules relating to licensure for radioactive material or they fail to meet a condition of the license.

Authorize DHFS to assess fees, to be determined by rule, for any of the following: (a) issuance of an initial or renewal specific license; (b) annual license maintenance; (c) issuance of a license amendment; (d) termination of a license; and (e) issuance of a recognition of an out-of-state or USNRC license. Authorize DHFS to assess a late fee that is 25% of the specific license renewal fee if payment for the renewal fee is not received within 30 days of the license expiration date.

These provisions relating to licensing of radioactive materials would take effect on January 1, 2003.

Miscellaneous Provisions. Correct a statutory reference to the nuclear regulatory commission to refer instead to the USNRC. Correct statutory cross-references to the definition of "by-product" material.

[Bill Sections: 428, 2302, 2441 thru 2485, 2487, 2554, 2568, 2653, 9323(9)&(10) and 9423(10)]

11. EMERGENCY MEDICAL SERVICES

-0329/4

PR-REV	\$95,000
PR	\$115,000

Governor: Provide \$70,000 in 1999-00 and \$45,000 in 2000-01 to increase funding for emergency medical services (EMS) activities. These funds would support the salary of a medical director and EMS Board operating expenses. Funding would be generated from EMS license renewal fees and late fees created in the bill. The administration estimates that \$60,000 in 1999-00 and \$35,000 in 2000-01 would be generated from these new fees.

License Renewal. Specify that, unless DHFS finds that an applicant has acted in a manner that would be grounds for suspension or revocation of a license, DHFS would renew a license if it receives: (a) a renewal application documenting qualifications for licensure; (b) a reasonable renewal fee established by DHFS by rule; and (c) if applicable, any late fees. Specify that all late

fees would be credited to the DHFS PR appropriation for licensing, review and certifying activities.

Forfeitures. Require ambulance service providers who violate any EMS statute or regulation to pay a forfeiture in an amount determined by DHFS rule. Each day of violation would constitute a separate offense, except that days between the date of a hearing request and the date concluding all judicial and administrative proceedings would not be considered a violation.

Authorize DHFS to directly assess forfeitures when it determines that a forfeiture should be assessed for a particular violation or the failure to correct a violation. DHFS would send a notice of the assessment to the alleged violator. The notice would specify the alleged violation, the amount of the forfeiture and information regarding the alleged violator's right to contest the assessment.

Specify that all forfeitures would be paid to DHFS within 10 days of receipt of a notice of assessment. If the assessment is contested, the forfeiture would be paid within 10 days of the final decision, except in cases where the final decision is appealed and the decision is in favor of the appellant. Require DHFS to submit all EMS forfeitures to the State Treasurer for deposit into the school fund.

Rule Making Authority. Repeal the Department's general rule making authority for EMS services. Instead, require DHFS to promulgate rules for the following: (a) license renewal fee amounts; (b) late fee assessment amounts; and (c) forfeiture amounts. Specify that these rules must be submitted to legislative council staff not later than the first day of the fourth month beginning after the effective date of the bill. Authorize DHFS to promulgate these rules as emergency rules.

Under current law, DHFS licenses and regulates EMS personnel, including emergency medical technicians and ambulance service providers. DHFS is authorized to charge a reasonable fee for an EMS license or training permit.

[Bill Sections: 2242 thru 2250 and 9123(4)]

12. REGIONAL OFFICE CLERICAL SUPPORT

Governor: Provide \$41,300 in 1999-00 and \$48,600 in 2000-01 to support 1.5 positions, beginning in 1999-00, to increase clerical staff at the northern and southern Division of Public Health regional offices. These positions would be supported with licensing and certification fee revenue. The regional offices provide public health consultation, technical assistance and contract administration to public health providers within each region. Public health sanitarians at the regional offices inspect and license eating and lodging establishments, public swimming pools, campgrounds and bed and breakfast establishments.

	Funding Positions	
PR	\$89,900	1.50



(soon) - In edit 5/24
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0399/1
DAK.....

JLg

LFB:.....Goldman – Delete emergency medical services fees and forfeitures
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION
LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 419, line 18: delete “(5) (f) ~~MAN~~” and (10) (a) 2.” *#. Page 419, line 18: delete*
- 3 **2.** Page 419, line 19: delete “and 3.” ✓
- 4 **3.** Page 1049, line 10: delete the material beginning with that line and ending
- 5 with page 1051, line 18. ✓
- 6 **4.** Page 1407, line 6: delete lines 6 to 21. ✓

7 (END)



SOON - Quedit 5/27
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0399/2
DAK:jlg:kan

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FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION
LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

At the locations indicated, amend the bill as follows:

1. Page 419, line 18: delete "(5) (f)".

and using "(5) (f),"

substitute

2. Page 419, line 18: delete "and (10) (a) 2."

3. Page 419, line 19: delete "and 3."

4. Page 1049, line 10: delete the material beginning with that line and ending with page 1051, line 18.

5. Page 1407, line 6: delete lines 6 to 21.

(END)

Fix component

1

2

3

4

5

6

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8

